

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

DANCORP INVESTORS, INC.,

Plaintiff,

v.

KING PAR GOLF INCORPORATED  
dba Knight Golf Company,

Defendant.



Upon agreement between the attorneys for all parties to this action, it is hereby stipulated as follows:

1. All factual discovery in this case, including depositions, shall be completed on or before April 30, 2004. All motions to compel discovery shall be filed at least thirty (30) days prior to the factual discovery cutoff.

2. Each party shall:

(a) identify any expert witnesses through interrogatories and provide reports pursuant to Fed.R.Civ.P. 26 by May 28, 2004 for issues on which that party has the burden of proof;

(b) each party shall identify any rebuttal witnesses through interrogatories and provide rebuttal reports pursuant to Fed.R.Civ.P. 26 by June 30, 2004; and

(c) all discovery relating to experts, including depositions, shall be completed by July 30, 2004.


3. The deadline for each party to file an opening brief on the issue of claim interpretation shall be August 27, 2004.

4. The deadline for each party to file a responding brief on the issue of claim interpretation shall be September 24, 2004.

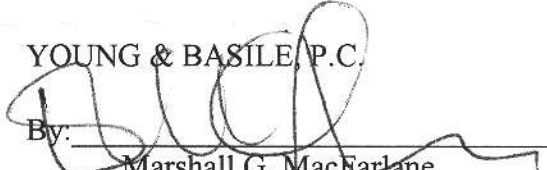
5. The parties request that the deadline for filing dispositive motions be set following the Court's ruling on claim interpretation.

Dated: December 29, 2003  
Rochester, New York

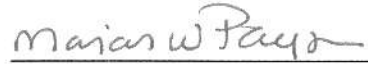
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**IT IS SO ORDERED.**

  
MARIAN W. PAYSON  
United States Magistrate Judge